

Bythewood  
10/750,644

### REMARKS

The undersigned requests a personal interview with the Examiner in charge of this application to discuss the issues raised below.

Claims 1-4 and 6-13 were rejected as being unpatentable over Parmater 20030176263 in view of Rovere 20040067830.

Claims 14-15 were rejected as being unpatentable over the above references and further in view of Gehrke.

Parmater discloses an exercise device having a back rest and a head rest. The head rest does not appear to be able to pivot about its support 54 as in the present invention. The present invention differs from this reference in a number of significant ways which will be discussed below in connection with the claims.

Rovere has an exercise device and was cited for the use of an extension to adjust for users of different size.

Gehrke was cited for the use of telescopic legs.

In view of the excellent art cited by the Examiner, claim 1 has been extensively amended to recite the back support and headrest being connected together through a cradle and a tension spring with one end attached to the back support member and an opposite end attached to the cradle. This configuration, including the cradle and the particular orientation of the tension spring, is not found or suggested in the art cited by the Examiner.

Claims 2, 4-5, and 7-8 have been canceled.

Depending claim 6 has been amended to recite, among other changes, the structure allowing the angle of the headrest to be adjusted.

Depending claim 9 has been amended to recite that the cradle has a number of recesses each at a different angle for initially positioning the headrest at a desired angle. There does not appear to be anything like this feature in the art cited.

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The remaining depending claims all add details which further distinguish the claimed invention over the art of record.

In view of the foregoing, it is urged that the claims in their present form clearly distinguish over the art of record and should be allowed.

A conscientious effort has been made to place this application in condition for immediate allowance. The Examiner is requested to call the undersigned or Mr. Kroll if further changes are required to obtain allowance of the application.

A favorable action is solicited.

Respectfully submitted,



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CERTIFICATE OF FAXING

I hereby certify that this correspondence is being facsimile transmitted to the U. S.  
Patent and Trademark Office, telephone number 571-273-8300 on Nov. 27, 2005.

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